

CHAPTER 10

C-H HEAVY COMMERCIAL ZONE

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14-10-101 PURPOSE AND OBJECTIVES

The Heavy Commercial (C-H) Zone is established to provide an area in which a congruous mixture of retail commercial, warehousing, heavy commercial and light manufacturing uses may be located. The zone is intended to provide for the location of manufacturing and warehousing operations which are operated in conjunction with and incidental to a retail commercial establishment.

The C-H Zone should be located in those areas where it provides service as a transitional zone and where there is adequate accessibility to good transportation facilities. Care should be taken in the location of this zone that heavy volumes of truck traffic generated by warehousing and light manufacturing uses do not traverse through a residential neighborhood or a retail commercial area in order to reach major highways or rail facilities.

The uses characteristic of this zone will be warehouses, light manufacturing or assembly plants, machine shops, automobile repair facilities, furniture and appliance repair, and building materials stores and yards.

The C-H Zone should be characterized by buildings and grounds which combine utility and attractive appearance. The utility of buildings, parking areas and loading facilities should be softened with landscaped areas along all street frontages.

14-10-102 PERMITTED USES

All uses contained herein are listed in the Standard Land Use Code published and maintained by the Planning Department. The following principal uses and structures, and no others, are permitted in the C-H Zone:

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
1111 ¹	Single Family Dwelling - Detached (Existing units only)
1121	Two Family Dwelling (Duplex)(Existing units only)
1131	Multiple Family Dwelling (Existing units only)
1141	Apartments (low-rise)(Existing units only)
5110	Motor Vehicles and Automotive Equipment
5121	Drugs, drug proprietaries and druggists' sundries
5122	Paints and varnishes
5130	Dry Goods and Apparel
5140	Groceries and Related Products
5154	Nurseries (flowers, including nursery stock)
5160	Electrical Goods
5170	Hardware, Plumbing, Heating Equipment, and Supplies
5180	Machinery, Equipment and Supplies
5190	Miscellaneous Wholesale Trade (except 5192, 5193, 5199)

¹Amended 11/12/97 Ordinance No. 97-32

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
5200	Building Materials, Hardware, Farm Equipment and Supplies
5311	Department stores
5312	Discount department stores
5313	"Surplus" stores (no outside storage)
5320	Mail Order Houses
5330	Variety Stores, Limited Price
5340	Merchandise Vending Machine Operators
5350	Direct Selling Organizations
5390	Other Retail Trade - General Merchandise
5400	Food
5500	Automotive, Marine Craft, Aircraft, and Accessories
5700	Furniture, Home Furnishings, and Equipment
5810	Eating Places
5930	Antiques and Secondhand Merchandise (except 5935, 5938)
5940	Books, Stationery, Art and Hobby Supplies
5950	Sporting Goods, Bicycles, and Toys
5960	Farm and Garden Supplies
5980	Fuel and Ice
5998	Pet sales and supplies
5999	Other miscellaneous retail trade

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
6100 ¹	Finance, Insurance, and Real Estate (except 6123 and 6124)
6210	Laundering, Dry Cleaning, and Dyeing
6222	Commercial Photography
6230	Beauty and Barber Services
6240	Funeral Parlor, Cemeteries, and Crematory Services
6250	Apparel Repair, Alteration and Cleaning Pickup Services, Shoe Repair Services
6291	Clothing rental
6292	Costume rental
6293	Porter Service
6299	Other personal services
6300	Business Services (except 6380 and self storage units) ²
6411	Automobile repair (without incidental towing and impound storage yard)
6414	Seat covers and auto tops
6415	Motorcycle, motor scooter, and bicycle repair
6416	Auto washing, polishing
6417	Auto washing, self service
6418	Auto glass installation and service
6420	Electrical Appliance Repair and Services
6490	Repair Shops and Related Services

¹Amended 1/3/2001 Ordinance No. 2001-01

²Amended 8/10/2004 Ordinance No. 2004-13

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
6514	Medical laboratory services
6515	Dental laboratory services
6530	Engineering, Architectural, and Planning Services
6540	Research Services
6550	Data Processing Services
6600	Contract Construction Services (without open storage)
6720	Protective Functions and Related Activities
6730	Postal Services
6830	Special Training and Schooling
6900	Miscellaneous Service Organizations
7210	Entertainment Assembly
7230	Public Assembly, Miscellaneous Purposes
7413	Tennis Courts
7414	Ice Skating
7415	Roller Skating
7417	Bowling Alleys
7424	Recreation and community centers.
7425	Gymnasiums, athletic clubs, body-building studios
7432	Swimming pools and schools
7451	Archery ranges (indoors only)
7452	Pistol and rifle ranges (indoors only)

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
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8222 ³	Veterinarian Services, Animal Hospital (may include indoor boarding facility)
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Accessory uses and structures are permitted in the C-H Zone provided they are incidental to and do not substantially alter the character of the permitted principal use of the structure. Such permitted accessory uses and structures include, but are not limited to, the following:

1. Accessory buildings such as garages, carports, equipment storage buildings and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the C-H Zone.
2. Storage of materials used for the construction of a building, including a contractor's temporary office, provided that such use be located on the building site or immediately adjacent thereto, and provided further that such use shall be permitted only during the construction period and thirty (30) days thereafter.

14-10-103 CONDITIONAL USES

The following uses and structures are permitted in the C-H Zone only after a Conditional Use Permit has been approved by the Planning Commission and subject to the terms and conditions thereof:

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
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Lodging

1511	Hotels
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1512	Motels
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<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
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Light Manufacturing

2120	Dairy Products
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2142	Preparing feeds for animals and fowls
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2150	Bakery Products
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2160	Sugar
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³Amended 1/3/2001 Ordinance No. 2001-01

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
2170	Confectionery and Related Products
2185	Bottling and canning of soft drinks and carbonated waters, nonalcoholic
2186	Fountain flavors, pastes, powders
2189	Flavor extracts and flavoring syrups
2197	Ice
2210	Broad and Narrow Woven Fabrics and Other Small wares
2220	Knit Goods
2250	Yarns and Threads
2290	Other Textile Goods (except 2295)
2300	Apparel and Other Finished Products Made From Fabrics, Leather and Similar Materials
2431	Millwork
2440	Wooden Containers
2700	Printing, Publishing, and Allied Industries
3500	Professional, Scientific, and Controlling Instruments; Photographic and Optical Goods; Watches and Clocks
3900	Miscellaneous Manufacturing (except 3960, 3992, 3993 and 3997)
<u>Manufacturing Incidental to Retail Sales</u> (Manufacturing uses allowed in the C-H Zone only when they are <u>incidental</u> to the retail sales of the manufactured products on the same premises.)	
2112	Sausages and other prepared meat products
2113	Poultry and small game dressing and packing
2130	Canning and preserving of fruits, vegetables and seafoods
2500	Furniture and Fixtures

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
3255	Statuary and factory-made art goods of clay, plaster of paris, plaster, etc.
3259	Other pottery and related products
3270	Cut stone and stone products (includes tombstones, terrazzo, furniture, roofing)

Wholesale and Retail Sales

5129	Other drugs, chemicals, and allied products
5193	Scrap and waste materials. (Including breaking up, sorting, wholesale distribution of scrap and waste such as metal, paper, automobiles, etc. Excludes dismantling of objects and automobiles for purposes of selling second-hand parts. This does not constitute an auto wrecking yard.)
5199	Other wholesale trade
5360	Sexually Oriented Merchandise (as per Ordinance No. 2000-10) ⁴
5820	Drinking Places - Alcoholic Beverages
5920	Liquor, package
6123 ⁵	Pawnbrokers
6124 ⁶	Bail Bonds (Not by surety companies)
6294	Escort Service
6260 ⁷	Sexually Oriented Services (as per Ordinance 2000-10)
6295	Tattooing

⁴Amended 6/28/2000 Ordinance No. 2000-10

⁵Amended 1/3/2001 Ordinance No. 2001-01

⁶Amended 1/3/2001 Ordinance No. 2001-01

⁷Amended 6/28/2000 Ordinance No. 2000-10

<u>USE NO.</u>	<u>USE CLASSIFICATION</u>
6296	Massage establishment, steam baths, and sauna baths
6380	Auction Services
6411	Automobile repair (with incidental towing and impound storage yard)
6413	Auto paint shops
6419	Motor vehicle towing services
6600	Contract Construction Services (with open storage yard)
6714	Government repair and maintenance facilities
7391	Penny arcades and other coin-operated amusements
7392	Miniature golf
7393	Golf driving ranges
7394	Go-cart tracks
7397	Billiard and pool halls
7398	Miniature auto racing (slot cars, etc.)
7399	Other amusements
7433	Water slides and water parks
7920	Sexually Oriented Entertainment (as per Ordinance 2000-10) ⁸

14-10-104 LOT AREA

The minimum lot area of any lot or parcel in the C-H Zone shall be eight thousand (8,000) square feet.

14-10-105 LOT WIDTH

Each lot or parcel of land in the C-H Zone shall have a minimum width of not less than seventy (70)

⁸Amended 6/28/2000 Ordinance No. 2000-10

feet at the building setback line.

14-10-106 LOT FRONTAGE

Each lot or parcel of land in the C-H Zone shall abut on a public street for a minimum distance of fifty (50) feet on a line parallel to the center line of said street or along the circumference of a cul-de-sac improved to City standards.

14-10-107 REPEALED⁹

14-10-108 AREA OF ZONE

Each single C-H Zone shall contain a minimum of three (3) acres. The C-H Zone may be applied to an existing commercial area which does not meet these area requirements provided the existing commercial facilities to which the zone is being applied are in compliance with the purpose and objectives of this zone.

14-10-109 YARD REQUIREMENTS

The following minimum yard requirements shall apply in the C-H Zone, except that the minimum front and side yards listed below shall be increased by ten (10) feet for each story that the building extends above two (2) stories or thirty-five (35) feet in height.

- A. Front Yard. Each lot or parcel of land in the C-H Zone shall have a front yard setback of not less than twenty-five (25) feet. The first ten (10) feet of said front yard shall be appropriately landscaped as set forth in Chapter 12 of this Ordinance.
- B. Side Yard. Except as provided in subsections "C", "D", and "E", there shall be no side yard requirements unless imposed by the provisions of the International¹⁰ Building Code.
- C. Side Yard Abutting Residential Lots. Where property in the C-H Zone abuts a residential lot, the minimum side yard shall be twenty (20) feet on the abutting side.
- D. Side Yard - Corner Lots. On corner lots, the side yard contiguous to the street shall be a minimum of twenty-five (25) feet in width. The first ten (10) feet of said front yard shall be appropriately landscaped as set forth in Chapter 15 of this Ordinance.
- E. Side Yard - Accessory Building. An accessory building may be located on a side

⁹Amended 8/10/2004 Ordinance No. 2004-13

¹⁰Amended 5/14/2002 Ordinance No. 2002-08

property line if, and only if, all of the following conditions are met:

1. The accessory building is located more than ten (10) feet from any main building on the same or adjacent property.
2. The accessory building has no openings on the side which is contiguous with the property line, and the walls of said building which are adjacent to the property line have a fire retardant rating as specified by the International¹¹ Building Code.
3. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

F. Rear Yard. No requirement unless imposed by the provisions of the latest edition of the International¹² Building Code.

G. Rear Yard - Accessory Building. An accessory building may be located on a rear property line if, and only if, all of the following conditions are met:

1. The accessory building is located more than ten (10) feet from any main building on the same or adjacent property.
2. The accessory building has no openings on the side which is contiguous with the property line, and the walls of said building which are adjacent to the property line have a fire retardant rating as specified by the International¹³ Building Code.
3. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

14-10-110 PROJECTIONS INTO YARDS

A. The following structures may be erected on or project into any required yard, except that they shall not obstruct a required driveway:

1. Fences and walls in conformance with Chapter 16 of this Ordinance.
2. Landscape elements, including trees, shrubs, and other plants.

¹¹Amended 5/14/2002 Ordinance No. 2002-08

¹²Amended 5/14/2002 Ordinance No. 2002-08

¹³Amended 5/14/2002 Ordinance No. 2002-08

3. Necessary appurtenances for utility service.

B. The structures listed below may project into a minimum front or rear yard not more than four (4) feet, and into a minimum side yard not more than two (2) feet, except that they may not obstruct a required driveway:

1. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.
2. Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.
3. A covered entry or porch used for the protection of pedestrians entering or leaving a building, provided said structure is not more than one story in height and is entirely open on at least three (3) sides.

14-10-111 BUILDING HEIGHT

In the C-H Zone, the height of every building or structure hereinafter erected or structurally altered or enlarged shall not exceed forty-five (45) feet except for towers, chimneys, and other structures not intended for human occupancy.

14-10-112 DISTANCE BETWEEN BUILDINGS

No requirements except as may be dictated by the International¹⁴ Building Code.

14-10-113 PERMISSIBLE LOT COVERAGE

No requirements except as may be dictated by yard requirements, landscaping requirements, compliance with off-street parking provisions, and/or any conditions required by the Planning Commission or City Council as part of the granting of a Conditional Use Permit or Site Plan approval.

14-10-114 PARKING, LOADING, AND ACCESS

Each lot or parcel in the C-H Zone shall have, on the same lot or parcel, automobile parking sufficient to meet the requirements as set forth in Chapter 18 of this Ordinance. All parking spaces shall be paved with asphaltic cement or concrete, and shall be provided with adequate drainage as approved by the City Engineer.

14-10-115 SITE PLAN APPROVAL

Site plan approval shall be required for any permitted or conditional use in the C-H Zone as per

¹⁴Amended 5/14/2002 Ordinance No. 2002-08

Chapter 2, Part 3 of this Ordinance.

14-10-116 OTHER REQUIREMENTS

A. Signs. All signs erected in the C-H Zone shall be in conformance with the sign provisions of Chapter 19 of this Ordinance.

B. Uses Within Buildings.¹⁵ All permitted and conditional uses established in the C-H Zone shall be conducted entirely within a fully enclosed building except for the outdoor display of merchandise for sale subject to the following conditions:

1. Outdoor Display of merchandise for sale. Outdoor display of merchandise for sale shall be allowed as an accessory use for all permitted and approved conditional uses in the C-H Zone where the display of such items does not impede the flow of pedestrian or vehicular traffic, or create an unsafe condition. The display of goods shall meet all of the following conditions:
 - a. The outdoor display of merchandise shall not be located upon any sidewalk, walkway, driveway, or within any public right-of-way nor shall it interfere with pedestrian or vehicular movement or with safe and proper ingress and egress of pedestrian traffic.
 - b. The outdoor display of merchandise shall not reduce the amount of off-street parking below that which is required for the associated commercial uses on the premises.
 - c. No item shall be displayed outdoors except for those lawfully displayed and sold inside the business or businesses located on the property. This shall not include hazardous and flammable materials, such as antifreeze, kerosene, poisons, pesticides and other similar items.
 - d. The aggregate outdoor display area shall not exceed 25 percent of the linear frontage of the store front or 10 linear feet, whichever is greater. Businesses located on a corner shall be considered as having two store fronts.
 - e. No outdoor display shall exceed six feet in height.
 - f. A maximum of 50% of the aggregate outdoor display area may be located in any required landscaping.
 - g. Items shall be displayed outdoors only during the hours that the business conducting the display is open to the public. Live plant material shall be exempt from this requirement.
 - h. Additional signs, beyond those normally allowed for the subject business, shall not be

¹⁵Amended 1/22/2002 Ordinance No. 2002-02

allowed as part of the outdoor display and sales area.

- i. Outdoor displays for special sales or for one of a kind items which would exceed any of these requirements may be granted a special permit by the Planning Director for a period not to exceed 14 days provided such special displays do not create parking, access or traffic hazards.

C. Landscaping. The following landscaping provisions shall apply in the C-H Zone as may be appropriate under the requirements of Chapter 16 of this Ordinance:

1. Ten (10) feet of landscaping shall be required along all frontage areas not occupied by drive accesses.
2. All landscaping must be sprinkled and planted with substantial live plant material for the purpose of buffering, screening, and beautifying the site. At plant maturity, the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.
3. Landscaping adjacent to residential zoning will require a minimum buffer of ten (10) feet.
4. Landscaping adjacent to off-street parking within the yard area will require a minimum landscaped area of five (5) feet providing it does not abut residential zoning.
5. Parking areas shall be landscaped where possible around the periphery.
6. Approved landscaping must cover a minimum of ten (10) percent of the development site exclusive of any parkstrips in the public right-of-way.
7. Landscaping shall also be installed in all parkstrips to the same standards as other on-site landscaping. Asphalt or concrete paving, any other solid type material such as brick, stone or railroad ties, or loose gravel or landscape rock in place of landscaping between sidewalk and curb is prohibited.

D. Trash Storage. No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area.

Each development in the C-H Zone shall be required to have adequate on-site, screened refuse and trash containers maintained in a location approved as part of the site plan.

14-10-117 SEXUALLY ORIENTED BUSINESSES¹⁶

¹⁶Amended 6/28/2000 Ordinance No. 2000-10

A. Sexually oriented businesses, as defined in the Bountiful City Code, shall be allowed only as a conditional use and only in the heavy commercial zone provided that:

1. The sexually oriented business may not be operated within 600 feet of a church, synagogue or regular place of religious worship, a public or private elementary or secondary school, or the boundary of a public park, a licensed day-care center, an existing entertainment business that is oriented primarily towards children or family entertainment, an adults-only business licensed for on-premise beer or alcohol consumption, or another sexually oriented business.

2. For the purpose of this ordinance, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, synagogue, regular place of religious worship, a public or private elementary or secondary school, or the boundary of a public park, a licensed day-care center, an existing entertainment business that is oriented primarily towards children or family entertainment, an adults-only business licensed for on-premise beer or alcohol consumption.

B. It is illegal for sexually oriented businesses to deliver any services whatsoever off premises from the business location in the heavy commercial zone. No delivery of products, maid service, or any other personal service, may be rendered in any other zone, or to any other location in the heavy commercial zone.

